

REMARKS

Claims 57 and 58 are added, and therefore claims 29 to 58 are now pending in the present application.

It is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

Applicants thank the Examiner for considering the previously filed Information Disclosure Statement, PTO 1449 paper and cited references.

Claims 29 to 56 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,615,366 ("Grochowski") in view of U.S. Patent No. 6,003,133 ("Moughanni").

To reject a claim under 35 U.S.C. § 103(a), the Office bears the initial burden of presenting a *prima facie* case of obviousness. *In re Rijckaert*, 9 F.3d 1531, 1532, 28 U.S.P.Q.2d 1955, 1956 (Fed. Cir. 1993). To establish *prima facie* obviousness, three criteria must be satisfied. First, there must be some suggestion or motivation to modify or combine reference teachings. *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988). This teaching or suggestion to make the claimed combination must be found in the prior art and not based on the application disclosure. *In re Vaeck*, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991).

Also, as clearly indicated by the Supreme Court in *KSR*, it is "important to identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the [prior art] elements" in the manner claimed. *See KSR Int'l Co. v. Teleflex, Inc.*, 127 S. Ct. 1727 (2007). In this regard, the Supreme Court further noted that "rejections on obviousness cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness." *Id.*, at 1396. Second, there must be a reasonable expectation of success. *In re Merck & Co., Inc.*, 800 F.2d 1091, 231 U.S.P.Q. 375 (Fed. Cir. 1986). Third, the prior art reference(s) must teach or suggest all of the claim features. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974).

Claim 29, as presented, includes the features in which *at least one first program memory region is exclusively assigned to a first one of the at least two operating modes, and at least one second program memory region is exclusively assigned to a second one of the at least two operating modes.*

As to the secondary Moughanni reference, its Figure 2 and the cited text of column 3, lines 4 to 33, describes nothing that has anything to do with assigning memory regions to operating modes. Figure 2 concerns a user space and a supervisor space and border between those two spaces which is an operating system. The operating system protects the resources. Therefore the applications in the user space can only access the resources of the system via the operating system. There is no disclosure as to the assigning of memory space to operation modes.

It is therefore not understood as to how or why this references suggest to a person skilled in the art the feature in which “at least one program memory region is exclusively assigned to a first one of the [at] least two operating modes and at least a second program memory region is exclusively assigned to a second one of the at least two operating mode[s]”. Further this reference concerns a system having only one CPU. There is no reason why a person skilled in the art would expect to find any useful information in this reference with respect to the operation of a multi-core system, as provided for in the context of the presently claimed subject matter.

As to the “Grochowski” reference, it does not cure these deficiencies of the “Moughanni” reference. Accordingly, the combination of the “Grochowski” and “Moughanni” references does not render obvious claim 29.

For at least the reasons explained above, claim 29 is allowable as are its dependent claims 30 to 43.

Claim 44, as presented, includes features like those of claim 29, as presented, and it is therefore allowable for essentially the same reasons, as are its dependent claims 45 to 56.

As further regards all of the obviousness rejections, any Official Notice is respectfully traversed to the extent that it is maintained and it is requested that the Examiner provide specific evidence to establish those assertions and/or contentions that may be supported by the Official Notices under 37 C.F.R. § 1.104(d)(2) or otherwise. In particular, it is respectfully requested that the Examiner provide an affidavit and/or that the Examiner provide published information concerning these assertions. This is because the § 103 rejections are apparently being based on assertions that draw on facts within the personal knowledge of the Examiner, since no support was provided for these otherwise conclusory and unsupported assertions. (See also MPEP § 2144.03).

Accordingly, claims 29 to 56 are allowable.

New claim 57 and 58 do not add new matter and it is supported by the present application, including the specification, at least at page 11, line 31, to page 12, line 4. Claims 57 and 58 respectively depend from claims 44 and 29, and they are therefore allowable for the same reasons.

Still further, claims 57 and 58, as presented, includes the feature in which *the at least two execution units are permitted to access the at least one first program memory region only in the first operating mode and the at least one second program memory region only in the second operating mode.*

The “Grochowski” and “Moughanni” references, whether taken alone or combined, do not disclose -- and are not asserted to disclose (nor even suggest) – the feature in which *at least one first program memory region is exclusively assigned to a first one of the at least two operating modes, and at least one second program memory region is exclusively assigned to a second one of the at least two operating modes, and wherein the at least two execution units are permitted to access the at least one first program memory region only in the first operating mode and the at least one second program memory region only in the second operating mode*, as provided for in the context of the presently claimed subject matter.

In this regard, for example, even if the “Moughanni” reference did refer to a central processing unit that allows access to a protected system resource during a supervisory mode and inhibits access to the protected system resource during a user mode, it does not disclose (nor even suggest) the feature of *at least two execution units permitted to access at least one first program memory region only in the first operating mode and permitted to access at least one second program memory region only in the second operating mode*, as provided for in the context of the presently claimed subject matter.

Still further, even if the “Moughanni” reference did refer to user applications stored in user space that execute in user mode, it does not indicate that access to user space is permitted only in user mode. For example, when the operating system referred to by the “Moughanni” reference executes in supervisory mode, access to user applications stored in user space is still permitted because the operating system executes input/output instructions at the behest of the user applications. Further, even the operating system that executes in supervisory space referred to by the “Moughanni” reference did execute in a supervisory mode, it does not execute only in supervisory mode.

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Accordingly, claims 57 and 58 are allowable for these further reasons, and because they respectively depend from claims 44 and 29, which are allowable, as explained herein.

In summary, all of pending claims 29 to 58 are allowable.

CONCLUSION

In view of the foregoing, it is respectfully submitted that all pending claims 29 to 58 are in condition for allowance. It is therefore respectfully requested that the rejections (and any objections) be withdrawn. Since all issues raised by the Examiner have been addressed, an early and favorable action on the merits is respectfully requested.

Respectfully submitted,
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